

response to these rejections, Applicants submit herewith the appropriate terminal disclaimer and fee. In view of these submissions, Applicants assert that the obviousness-type double patenting rejections have been overcome.

II. The Claims Are Patentable over Shaffer et al.

Each of the independent claims (Claims 27, 44, and 45) was also rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,130,935 to Shaffer et al. Applicants respectfully request reconsideration and withdrawal of these rejections because Shaffer et al. does not teach each and every element recited in the independent claims.¹ Before turning to the rejections, Applicants present a brief overview of the preferred embodiments described in its specification and the claimed invention.

A. Brief Overview of the Preferred Embodiments and the Claimed Invention

The preferred embodiments generally relate to a method and system for providing a work-at-home telecommunication service in which a telecommuter makes telephone calls from his home on behalf of a business. In the preferred embodiment described, *inter alia*, in Table II on page 15, calls made with the work-at-home telecommunication service are charged to the business by replacing the ANI of the calling party with that of the business.

In addition to affecting this billing change, the preferred embodiment also modifies the calling party identification number to an identification number of the business. As shown in Table II, the calling party identification number is modified from the directory number of the calling party to the business/billing number. By automatically modifying the calling party identification number to an identification number of the group associated with the calling party,

¹ Applicants expressly reserve the right to disqualify Shaffer et al. as prior art.

the Caller ID information presented to a called party is the information of the group associated with the calling party – not the information of the calling party itself. Accordingly, calls made to called parties on behalf of the group will be identified as originating from the group (*e.g.*, Acme Industries) instead of the individual placing the call from his home (*e.g.*, John Doe).

Independent Claims 27, 44, and 45 each contain an element that relates to automatically modifying a calling party identification number to an identification number of a group associated with the calling party.²

B. Shaffer et al. Does Not Anticipate the Claimed Invention

Shaffer et al. does not teach modifying the calling party identification number from an identification number of the calling party to an identification number of a group associated with the calling party, as recited in the claims. Instead, Shaffer et al. merely teaches changing the ANI from that of the calling party to that of the business.

Shaffer et al. describes a work-at-home telecommunication system in which a telecommuter makes telephone calls on behalf of a business from the telecommuter's home telephone. If the telecommuter's ANI were used, a business call would be billed to the telecommuter instead of to the business. To ensure that business calls are properly billed to the business instead of to the telecommuter, the system in Shaffer et al. replaces the telecommuter's ANI with the employer's ANI. While Shaffer et al. teaches modifying ANI, it does not teach modifying the calling party identification number to an identification number of the group

² Claim 27: "(b) automatically modifying the calling party identification number to an identification number of a group associated with the calling party"

Claim 44: "means for automatically modifying the calling party identification number to an identification number of a group associated with the calling party"

Claim 45: "a service control point operative to automatically modify a calling party identification number to an identification number of a group associated with the calling party in response to a query"

associated with the calling party. Because the calling party identification number is not modified, a called party will be presented with Caller ID information associated with the telecommuter – not with the business for whom the calling party is placing the call. As a result, a called party who would have answered a call if identified as originating from a business might not answer a call if identified as originating from an employee's home phone. This can occur, for example, when the employee's name is not recognized by the called party or when the home phone is registered in some other household member's name (e.g., a relative or roommate of the employee).

Column 1, line 57 – column 2, line 6 and column 4, lines 28-41 were cited in the Office Action as teaching modifying the calling party identification number. However, these passages merely describe changing the ANI so that the call will be billed to a business instead of to the individual making the call.³ In fact, Shaffer et al. teaches that the calling party identification number is not modified. Figures 3a-c show a call message, which includes the dialed number, the ANI, and "other information." The calling party identification number is presumably included in the "other information." Figure 3b shows the call message before translation, and Figure 3c shows the call message after translation. As is clearly shown in Figure 3c, only the dialed number and the ANI are modified from their original form. ***The "other information" (e.g., the calling party identification number) is not modified.***

Applicants finally note that a PCT application corresponding to Shaffer et al. (PCT Publication No. WO 98/06215) has already been considered by the Examiner in the present application. This PCT application was also considered in U.S. Patent No. 6,252,953, which is

³ Column 1, line 57 – column 2, line 6 merely states that "[t]he *ANI is translated* to a number *which allows correct billing of the call*" (emphasis added), and column 4, lines 28-41 merely describes translating the ANI to a billing number.


the parent of the present application. The claims in the parent application were rejected in view of the PCT application but were allowed after Applicants made an argument similar to the one presented above.

III. Conclusion

Because Shaffer et al. fails to teach automatically modifying a calling party identification number to an identification number of a group associated with the calling party, the rejections of independent Claims 27, 44, and 45 and their dependent claims must be withdrawn. If the Examiner has any questions concerning this Response, he is invited to contact the undersigned attorney at (312) 321-4719.

Dated: October 25, 2002

Respectfully submitted,



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